

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

| | | |
|---------------------------------|---|-----------------------------|
| BAYER HEALTHCARE AG, et al., |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | Civil Action No. 06-234-SLR |
| |) | Civil Action No. 07-195-SLR |
| TEVA PHARMACEUTICALS USA, INC., |) | CONSOLIDATED CASES |
| |) | |
| Defendant. |) | |
| _____ |) | |

STIPULATION FOR AMENDMENT OF ANSWERS

WHEREAS, certain information has come to the attention of defendant Teva Pharmaceuticals USA, Inc. (“Teva”) through discovery; and

WHEREAS, Teva wishes to amend its answers in these consolidated cases based on that information; and

WHEREAS, plaintiffs Bayer HealthCare AG, Bayer Pharmaceuticals Corporation, Alcon, Inc. and Alcon Manufacturing Ltd. (“Plaintiffs”), while reserving all of their rights with respect to the merits of any such amended answers, do not oppose the filing of such amended answers under seal.

NOW, THEREFORE, Plaintiffs and Teva hereby stipulate and agree, subject to the approval of the Court, that Teva may file, under seal, first amended answers stating defenses in Civil Action No. 06-234-SLR and Civil Action No. 07-195-SLR.

/s/ Anne Shea Gaza (ag4093)

Frederick L. Cottrell, III (#2555)
Jeffrey L. Moyer (#3309)
Anne Shea Gaza (#4093)
RICHARDS, LAYTON & FINGER, P.A.
One Rodney Square
Wilmington, Delaware 19801
(302) 651-7700
*Attorneys for Plaintiffs Bayer HealthCare AG,
Bayer Pharmaceuticals, Corp., Alcon, Inc. and
Alcon Manufacturing, Ltd.*

/s/ Richard D. Kirk (rk0922)

Richard D. Kirk (#0922)
Ashley B. Stitzer (#3891)
THE BAYARD FIRM
222 Delaware Ave., Suite 900
Wilmington, DE 19899
(302) 655-5000
*Attorneys for Defendant Teva
Pharmaceuticals USA, Inc.*

OF COUNSEL:

Bruce R. Genderson
Adam L. Perlman
David I. Berl
Dov P. Grossman
Stanley E. Fisher
WILLIAMS & CONNOLLY LLP
725 Twelfth Street, N.W.
Washington, DC 20005
(202) 434-5000

OF COUNSEL:

Bruce M. Gagala
M. Daniel Hefner
Brian A. Garcia
Douglas A. Robinson
LEYDIG, VOIT & MAYER, LTD.
Two Prudential Plaza
180 N. Stetson Avenue, Ste 4900
Chicago, IL 60601
(312) 616-5600

SO ORDERED this ____ day of August, 2007

Hon. Sue L. Robinson
United States District Judge

CERTIFICATE OF SERVICE

The undersigned counsel certifies that, on August 2, 2007, he electronically filed the foregoing document with the Clerk of the Court using CM/ECF, which will send automatic notification of the filing to the following:

Frederick L. Cottrell III, Esquire
Jeffrey L. Moyer, Esquire
Anne Shea Gaza, Esquire
Richards, Layton & Finger, P.A.
One Rodney Square
920 North King Street
Wilmington, Delaware 19801

The undersigned counsel further certifies that, on August 2, 2007, copies of the foregoing document were sent by email and hand to the above local counsel and by email and first class mail to the following non-registered participant:

Bruce R. Genderson, Esquire
Adam L. Perlman, Esquire
Dov P. Grossman, Esquire
David I. Berl, Esquire
Aaron P. Maurer, Esquire
Williams and Connolly
725 Twelfth Street, N.W.
Washington, D.C. 20005

/s/ Richard D. Kirk (rk0922)
Richard D. Kirk